

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

NATHANIEL MCCOY #505368

CASE NO. 6:19-CV-00061 SEC P

VERSUS

JUDGE SUMMERHAYS

STATE OF LOUISIANA

MAGISTRATE JUDGE WHITEHURST

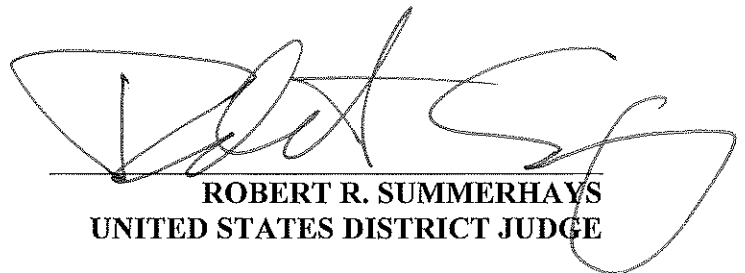
**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

**IT IS ORDERED** that Rec. Doc. 13 is **DENIED** in part, to the extent that it seeks to stay this matter, and **GRANTED** in part, to the extent it seeks to dismiss this matter without prejudice.

**IT IS FURTHER ORDERED** that the instant Petition for Writ of Habeas Corpus be **DISMISSED WITHOUT PREJUDICE** because Petitioner failed to exhaust available state court remedies prior to filing.

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this 9th day of August, 2019.

  
**ROBERT R. SUMMERHAYS**  
**UNITED STATES DISTRICT JUDGE**